

AG 512

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Gilberto GAMEZ-Rivera,

Defendant.

Magistrate Case No.:

'08 MJ 84 14

COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:


On May 12, 2008, within the Southern District of California, defendant Gilberto GAMEZ-Rivera did knowingly and intentionally import approximately 27.70 kilograms (60.94 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.



Cole Dotson, Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 13TH,
DAY OF MAY 2008.



PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Gilberto GAMEZ-Rivera

4 STATEMENT OF FACTS

5 This statement of facts is based on personal observation, investigation, and
6 information provided to US Immigration and Customs Enforcement Special Agent
7 Dotson.

8 On May 12, 2008, at approximately 1405 hours, Gilberto GAMEZ-Rivera entered
9 the United States at the Calexico, California, East Port of Entry. GAMEZ was the sole
10 occupant, driver and registered owner of a 2004 Nissan Maxima, bearing California
11 license plate 6DJE534. The primary inspector, Customs and Border Protection Officer
12 (CBPO) Blanchette referred the vehicle to the secondary lot for closer examination.

13 In the vehicle secondary lot, CBPO Smura utilizing a canine conducted an
14 inspection of the vehicle. The canine alerted, responding to the undercarriage of the
15 vehicle.

16 A subsequent inspection of the vehicle by CBPO Baca revealed 25 packages
17 concealed in a non-factory compartment in both rocker panels. CBPO Baca probed one
18 of the packages and a sample of white powdery substance was obtained. The sample
19 field-tested positive for cocaine. The 25 packages had a combined net weight of
20 approximately 27.70 kilograms (60.94 pounds).

21 GAMEZ was placed under arrest and was advised of his Rights, per Miranda.
22 GAMEZ acknowledged, waived his rights, and agreed to answer questions. GAMEZ
23 stated he knew the vehicle contained cocaine. However, GAMEZ stated that he did not
24 know how much cocaine was in the vehicle. GAMEZ stated that he was to be paid
25 \$3,500.00 to take the vehicle to the Wal-Mart parking lot in Calexico, CA.

26 GAMEZ was booked into the Imperial County Jail pending his initial appearance
27 before a U.S. Magistrate Judge.
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29